

Appl. No. 10/822,647
Amendment dated: June 14, 2007
Reply to OA of: March 14, 2007

REMARKS

Applicants have amended the claims to more particularly define the invention in view of the outstanding Official Action. Claim 1 has been amended so that the proviso is set forth in a separate line in accordance with the Examiner's helpful suggestion. Moreover, the proviso has been clarified to specifically refer to the Z moiety which is implicit in the Examiner's suggestion. Claim 6 has been amended to correct the term "structures" to "structure" as also suggested by the Examiner. Claims 13-15, 17, 19, 22, 25 and 28 have been amended to add a period at the end of each claim. Applicants note with appreciation the Examiner's indication of allowable subject matter but these claims have not presently been rewritten in independent form in view of the submission of a claim for priority of an earlier filing date for the claimed subject matter, a certified copy of the priority document and English language translation. Applicants most respectfully submit that all of the claims now present in the application are in full compliance with 35 USC 112 and clearly patentable over the references of record.

The rejection of claims 1, 2, 4-7, 9-13, 16-18, 20, 21, 23-25 and 27 under 35 U.S.C. 102(e) as being anticipated by Deaton et al. or Lussier et al. has been carefully considered but is most respectfully traversed in view of the following comments.

Applicants have submitted concurrently herewith a Petition to Accept Delayed Claim for Priority in which priority is claimed for Taiwan application 092120288 filed on July 24, 2003. Applicants believe that the petition will be granted in that the failure to claim priority was an oversight in not claiming priority in the Application Data Sheet (ADS) filed with the application. A supplemental ADS has been filed claiming priority. The inventors' declaration, as originally filed, references the application data sheet for the priority claims. The required certified copy and English translation has been submitted with the petition. Applicants most respectfully submit that in view of the date of priority claimed in the present application of July 24, 2003, the cited references

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Deaton and Lussier, which were filed on December 5, 2003, has been obviated in view of the priority claimed submission of certified copy and translation. Accordingly, it is most respectfully requested that this rejection be withdrawn.

The rejection of claims 1-7, 9-13, 16-18, 20, 21, 23-25 and 27 under 35 U.S.C. 102(e) as being anticipated by Deaton et al. has been carefully considered but is most respectfully traversed in view of the above comments. Accordingly, it is most respectfully requested that this rejection be withdrawn.

The rejection of claims 14, 15, 19 and 22 under 35 U.S.C. 103(a) as being unpatentable over Deaton et al. or Lussier et al. as applied to claims 1, 2, 4-7, 9-13, 16-18, 20, 21, 23-25 and 27 and further in view of Sato et al. has been carefully considered but is most respectfully traversed in view of the above comments as applied to Deaton et al. and Lussier et al. Since the primary references has been antedated, the combined teachings do not render the claimed subject matter obvious. Accordingly, it is most respectfully requested that this rejection be withdrawn.

The rejection of claims 14, 15, 19 and 22 under 35 U.S.C. 103(a) as being unpatentable over Deaton as applied to claims 1-7, 9-13, 16-18, 20, 21, 23-25 and 27 and further in view of Sato et al. has been carefully considered but is most respectfully traversed in view of the above comments as applied to Deaton. Since the primary references has been antedated, the combined teachings do not render the claimed subject matter obvious. Accordingly, it is most respectfully requested that this rejection be withdrawn.

The objection to claims 26-28 as being dependent upon a rejected base claim, but would be rewritten in independent form including all of the limitations of the base claim and any intervening claims has been obviated in view of the priority claimed in the present application. Accordingly, it is most respectfully requested that this objection be withdrawn.

In view of the above comments and further amendments to the claims, favorable reconsideration and allowance of all the claims now present in the application are most

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respectfully requested.

Respectfully submitted,
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